

**UNITED STATES DISTRICT COURT
for
MIDDLE DISTRICT OF PENNSYLVANIA**

PETITION FOR WARRANT OR SUMMONS FOR OFFENDER UNDER SUPERVISION

Name of Offender: Shiranda Posey Case Number: 1:CR-01-195-03
Name of Sentencing Judicial Officer: The Honorable William W. Caldwell
Date of Original Sentence: June 24, 2002
Original Offense: Use of a Telephone in Committing a Felony Drug Offense, 21 U.S.C. § 843(b)
Original Sentence: 48 months imprisonment, \$1,000.00 fine, \$100.00 special assessment, and 12 months supervised release. On November 23, 2005, the defendant's term of supervised release was revoked, and the offender was re-sentenced to a term of two days imprisonment, with credit for time served, to be followed by six months supervised release.
Type of Supervision: Supervised Release Date Commenced: November 23, 2005
Asst. U.S. Attorney: William A. Behe Defense Attorney: Thomas Thornton

PETITIONING THE COURT

☒ To issue a Warrant:

☐ To issue a Summons

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
General Condition	<p>"While on supervised release, the defendant shall refrain from any unlawful use of a controlled substance."</p> <p>During interviews with the probation officer, Ms. Posey admitted to using the following drugs on the dates indicated: Marijuana - November 24, 2005; Cocaine - November 24 through November 26, 2005, December 3, December 4, December 9, and December 12, 2005; and Heroin - November 24, November 26, December 3, December 4, December 9, and December 12, 2005.</p> <p>On December 12, 2005, Ms. Posey admitted to having taken and consumed unknown pills given to her by a friend. None of these pills were prescribed to Ms. Posey. One of the pills she admitted consuming December 9, 2005, was methadone. Ms. Posey showed the probation officer one of the remaining methadone tablets.</p>

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Additionally, Ms. Posey tested positive for **Marijuana, Cocaine, and Heroin** on December 21, 2005, after being discharged from White Deer Run Detox Facility on December 20, 2005.

Standard Condition #2 **“The defendant shall report to the Probation Officer...”**

On November 28, December 7, December 14, and December 27, 2005, Ms. Posey failed to report to the probation officer as directed.

Standard Condition #5 **“The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.”**

On November 28 and December 9, 2005, Ms. Posey admitted that, despite direction from the probation officer, she has not made an effort to locate suitable employment.

Standard Condition #9 **“The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.”**

On November 28, 2005, Ms. Posey admitted using illicit substances with “friends” on November 24 through November 26, 2005.

On December 6, 2005, Ms. Posey admitted purchasing and using illicit substances with Wanda Kimbell on December 3 and December 4, 2005.

On December 9, 2005, Ms. Posey admitted associating with Timothy Perry, her boyfriend, for the past six months. Mr. Perry is a convicted felon who had an outstanding warrant issued by the New York State Parole Office in Manhattan, New York. Mr. Perry was taken into custody at Ms. Posey’s apartment December 6, 2005.

On December 6, 2005, U.S. Marshals and Williamsport police confiscated heroin, methadone, marijuana, a large quantity of cash, and a firearm from Ms. Posey’s residence. The confiscated items reportedly belonged to Mr. Perry who appeared to have established a partial residence at the apartment with Ms. Posey. Both were taken into custody with a third individual; however, Ms. Posey was released. Currently, there are no charges pending against Ms. Posey.

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U.S. Probation Officer Recommendation:

☒ The term of supervision should be

☒ revoked.

☐ extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: 12/28/05

by: [Signature]
William C. Pool for
Cheryl C. Kennedy
U.S. Probation Officer

THE COURT ORDERS

☐ No Action

☒ The Issuance of a Warrant

☐ The Issuance of a Summons

☐ Other

[Signature]
William W. Caldwell, United States District Judge

12/28/06
Date